

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2007 DEC 18 AM 11:15

UNITED STATES OF AMERICA )

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

V. )

Magistrate's Case No. 07 MJ 2923  
BY *WMT*

David GONZALEZ )

COMPLAINT FOR VIOLATION  
OF18 USC 922 (g)(1) - Felon in  
Possession of a Firearm and/or  
ammunition

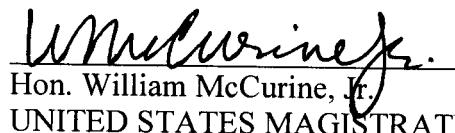
The undersigned complainant being duly sworn states:

On March 21, 2007, within the Southern District of California, defendant David GONZALEZ, a convicted felon, possessed a pistol and/or ammunition that traveled in and affected interstate commerce, which is described as one Glock, model 19, .9mm pistol, serial number ATL378US; in violation of 18 United States Code, Section 922 (g)(1) - Felon in Possession of a Firearm.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
Special Agent Joseph Mokos  
Bureau of Alcohol, Tobacco  
Firearms and Explosives

Sworn to before me and subscribed in my presence, this 18<sup>th</sup> day of December, 2007.

  
Hon. William McCurine, Jr.  
UNITED STATES MAGISTRATE JUDGE

United States

v.

David GONZALEZ

**Statement of Facts**

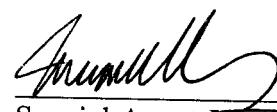
On March 21, 2007, members of the San Diego Regional Fugitive Task Force executed San Diego Superior Court Arrest Warrant number SCS204454 in the name of David GONZALEZ at Fernando's Pizza located at 2778 Sweetwater Springs Boulevard, Spring Valley, California 91977. During the execution of the arrest warrant, Deputy United States Marshal (DUSM) Wade Gregg and Chula Vista Police Department (CVPD) Agent Adkins encountered GONZALEZ inside the front of the restaurant. After ignoring DUSM Gregg's command to stop, GONZALEZ fled behind the counter and into the cooking area of the restaurant. DUSM Gregg and CVPD Agent Adkins were able to secure GONZALEZ and proceeded to place GONZALEZ under arrest.

During the search incident to arrest, a Glock, model 19, .9mm pistol, serial number ATL378US was recovered in the waistband of GONZALEZ'S pants along with eleven rounds of Winchester, .9mm Lugar ammunition. The Glock, model 19, 9mm pistol, s/n ATL378US was manufactured outside of the state of California and therefore has traveled in interstate commerce.

On March, 22 2007, your affiant caused an NCIC criminal history query of GONZALEZ, which revealed the following felony conviction:

- December of 2006 – Possession of an Illegal Firearm in Superior Court of California, County of San Diego.

Based upon the above information, probable cause exists to issue a criminal complaint and a warrant for the arrest of David GONZALEZ for violation of 18 USC section 922(g) (1).

  
\_\_\_\_\_  
Special Agent ~~Joseph~~ Mokos  
Bureau of Alcohol, Tobacco  
Firearms and Explosives

Sworn to before me and subscribed in my presence, this 18<sup>th</sup> day of December, 2007.

  
\_\_\_\_\_  
Hon. William McCurine, Jr.  
UNITED STATES MAGISTRATE JUDGE